

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ESTHER HERZ,

Plaintiff,

**STIPULATION OF
DISMISSAL WITHOUT
PREJUDICE**

ECF CASE

-against-

Docket No. 1:16-CV-4416

TRANSAMERICA LIFE INSURANCE COMPANY,
and TRANSAMERICA FINANCIAL LIFE INSURANCE
COMPANY,

Defendants.
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WHEREAS plaintiff Esther Herz commenced this action on August 8, 2016 by filing a complaint against Transamerica Life Insurance Company and Transamerica Financial Life Insurance Company (“defendants”) alleging, *inter alia*, breach of contract and other related causes of action arising out of defendants’ refusal to pay a life insurance policy following the accidental death of plaintiff’s husband on January 4, 2013; and

WHEREAS, plaintiff Esther Herz, through her counsel, Cary London, Esq., has voluntarily agreed to dismiss the complaint in its entirety without prejudice for re-filing in State Court;

NOW, THEREFORE, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), that the above referenced action is hereby dismissed against the defendants, without prejudice, and without costs, expenses, or attorney’s fees.

Dated: Brooklyn, New York
November 14, 2016

London Indusi LLP
Attorneys for Plaintiff
186 Joralemon Street, Suite 1202
Brooklyn, NY 11201

By: 

Cary London, Esq.
Attorney for Plaintiff

SO ORDERED:

U.S.D.J.